IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4747 of 2005

Between:

G. Venkateswra Reddy S/o G. Subramanyam Reddy
Vijayamambapuram Village Karvetinagar Mandal,
Chittoor District.

... PETITIONER

AND

1 The Revenue Divisional Officer, Chittoor, Chittoor District.
2 The Mandal Revenue Officer, Karvetinagar Mandal,
Karvetinagar Chittoor District.
3 G. Munilakshmamma W/o G. Subramanyam Karvetinagar (Town
& Post), Karvetinagar Mandal, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction particularly a Writ of Mandamus declaring the action of the respondents in trying to evict the petitioner from the land and Mango garden in Survey No.737 (filed No.60) and extent of Acre 2.45 cents of Kanikalagutta, Vijayamambapuram Village, Karvetinagar Mandal, Chittoor District pending appeal before the Revenue Divisional Officer, Chittoor and consequently direct the respondents not to evict the petitioner.

Counsel for the Petitioner: MR.G.DASARADHA RAMI REDDY

Counsel for the Respondents 1 & 2: GP FOR REVENUE

The Court, at the admission stage, made the following:

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ORDER:

The petitioner claims to be in possession and enjoyment of the land to an extent of Ac.2.45 cents situated in Sy.No.737 of Kanikalagutta, Vijayamambapuram Village, Karvetinagar Mandal, Chittoor District. It is alleged that on 27-01-2005 the third respondent's husband came to the land in question and attempted to dispossess the petitioner proclaiming that the said land has been assigned in favour of the third respondent vide DKT No.66/44/1405. In the circumstances, the petitioner filed an appeal before the 1st respondent along with an application seeking stay of operation of the order granting patta in favour of the third respondent. The said appeal which was filed on 10-02-2005 has been numbered as appeal No.E/460/2005 and pending before the first respondent-Revenue Divisional Officer. The grievance of the petitioner is that the first respondent has failed to consider his appeal and no orders have been passed even on his application for stay, so far. However, in the meanwhile, the second respondent is taking steps to dispossess the petitioner and to handover the land in question to the third respondent. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents 1 and 2 and particularly keeping in view the pendency of the statutory appeal on the file of the first respondent, I deem it appropriate to dispose of the writ petition with a direction to the first respondent-Revenue Divisional Officer to dispose of the application for stay filed by the petitioner in Appeal No.E/460/2005 as expeditiously as possible, preferably with in a period of two weeks from the date of receipt of a copy of this order. Till such time, *status quo* obtaining as on today as to the nature and possession of the land in question shall be maintained.

The Writ Petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 15-03-2005

Note: Issue operative portion by wire
at Party's costs.

B/o.

LSK

ASSISTANT REGISTRAR

To

1 The Revenue Divisional Officer, Chittoor, Chittoor District.
2 The Mandal Revenue Officer, Karvetinagar Mandal,
Karvetinagar Chittoor District.
3. 2 CCs to G.P. for Revenue, High Court Buildings,
Hyderabad (OUT)

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